in place of U. S. DEPARTMENT OF COMMERCE PTO-1449 PATENT AND TRADEMARK OFFICE Complete if Known Form Application Number Divisional of 09/923,891 **Filing Date** INFORMATION DISCLOSURE herewith Applicant(s) STATEMENT BY APPLICANT Bryan, et al. (use as many sheets as necessary) Art Unit Unknown **Examiner Name** Unknown SHEET 1 OF Attorney Docket Number 31132.175 **U. S. PATENT DOCUMENTS** Examiner's Cite Document Number Publication Date Name of Patentee or Applicant of Cited Document Initials No: PP **A1** 2677369 05/1954 Knowles A2 3486505 12/30/1969 Morrison **A3** 3875595 04/08/1975 Froning A4 3876728 04/08/1975 Stubstad A5 4023572 Weigand, et al. 05/17/1977 **A6** 4116200 09/26/1978 Braun, et al. A7 4179810 12/25/1979 Kirsch **A8** 4309777 01/12/1982 Patil **A9** 4349921 09/21/1982 Kuntz 4599086 A10 07/1986 Doty A11 4743256 05/10/1988 Brantigan A12 4863476 09/05/1989 Shepperd A13 4863477 09/05/0989 Monson A14 4874389 10/17/1989 Downey A15 4904260 02/27/1990 Ray, et al. A16 4904261 02/27/1990 Dove, et al. A17 4917704 04/17/1990 Frey, et al. A18 4932969 06/1990 Frey, et al. A19 4932975 06/12/1990 Main, et al. A20 4946378 08/07/1990 Hirayama, et al. A21 4955908 09/11/1990 Frey, et al. A22 4997432 03/05/1991 Keller A23 5002576 03/26/1991 Fuhrmann, et al. A24 5015247 05/14/1991 Michelson **A25** 5035716 07/30/1991 Downey A26 5047055 09/10/1991 Bao, et al. A27 5059194 10/22/1991 Michelson A28 5062845 11/05/1991 Kuslich, et al. A29 5071437 12/10/1991 Steffee A30 5080662 01/14/1992 Paul A31 5108438 04/28/1992 Stone A32 5122130 06/16/1992 Keller **A33** 5123926 06/23/1992 Pisharodi A34 5171280 12/15/1992 Baumgartner A35 5192326 03/1993 Bao, et al. A36 5234431 08/1993 Keller A37 5236460 08/17/1993 Barber A38 5246458 09/1993 Graham A39 5258031 11/02/1993 Salib, et al. A40 5261911 11/1993 Carl A41 5314478 05/24/1994 Oka, et al. A42 5320644 06/14/1994 Baumgartner A43 5370697 12/1994 Baumigartner A44 5401269 03/28/1995 BittnerJanz, et al. Examiner Date /Pedro Philogene/ 09/14/2006 Signature

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Considered

<del></del>						· ==		
In place of								
Form					Complete if Known			
l l			Applicat	ion Number	Divisional of 09/923,891			
INFORMATION DISCLOSURE				Filing Da	ate	Herewith		
STATEMENT BY APPLICANT				Applicar	nt(s)	Bryan, et al.		
(use as many sheets as necessary)				Art Unit				
(and an many shoots as hocossary)					Examiner Name Unknown			
SHEET 2 OF 4								
- STILL		2 OF	4		Docket Number	31132.175		
Examiner's	Cite	Dogument Mu			CUMENTS			
Initials	No.	Document Nur		tion Date	Name of F	Patentee or Applicant	of Cited Document	
PP	A45	5458642	10/17	7/1995	Beer, et al.			
	A46	5484437	01/16	/1996	Michelson			
	A47	5489307	02/06	/1996	Kuslich, et al.			
	A48	5507816	04/16	/1996	Bullivant			
	A49	5514180		/1996	Heggeness, et a	l <u>.</u>		
<u> </u>	A50	5534028		/1996	Bao, et al.			
<b></b>	A51	5534029		1996	Shima			
<b></b>	A52 A53	5534090		1996	Navarro, et al.			
	A54	5545229 5549679		V1996	Parsons, et al.			
	A55	5571189		1996 1996	Kuslich			
	A56	5593409		/1997	Kuslich Michelson	<u> </u>		
	A57	5645598		V1997	Brosnahan	<del></del>		
	A58	5662158		/1997	Caldarise			
	A59	5674294		/1997	Bainville, et al.			
	A60	5674295		/1997	Ray, et al.			
	A61	5674296		/1997	Bryan, et al.			
	A62	5676701	10/1	997	Yuan, et al.			
	A63	5683464	11/04	/1997	Wagner, et al			
	A64	5702450	12/30	/1997	Bisserie			
	A65	5720748	02/24	/1998	Kuslich, et al.			
	A66	5722977	03/03		Wilhelmy			
	A67 A68	5741253	04/21		Michelson			
	A69	5782830 5782832	07/21		Farris	<u> </u>		
	A70	5797909	07/21 08/25		Larsen, et al.			
	A71	5824093	10/20		Michelson Ray, et al.			
	A72	5824094	10/20		<del></del>	<del></del>		
	A73	5865846	02/02		Seman, et al. Bryan, et al.			
	A74	5865848	02/02		Baker			
				/1999	Tokuhashi, et al.			
	A76	5888226	03/30	/1999	Rogozinski			
	A77	5928284	07/27	/1999	Mehdizadeh	<del></del>		
	A78	5947971	09/07		Kuslich, et al.			
	A79	5976187	11/02		Richelsoph			
	A80	5989291		/1999	Ralph, et al.			
	A81	6001130	12/14		Bryan, et al.			
	A82 A83	6022376 6059790	02/08		Assell			
·	A84	6059829	05/09		Sand, et al.	<del></del>	<del></del>	
<del></del>	A85	6063121	05/09/ 05/16/		Schlapfer, et al. Xavier, et al.			
	A86	6066174	05/23/		Farris			
<del></del>	A87	6080155	06/27/		Michelson	·		
<b>─</b>	A88	6083228	06/04/		Michelson			
Examiner						Date		
Signature	/I	Pedro Philog	gene/			Considered	09/14/2006	
			whether or not cit					

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

	In place of U. S. DEPARTMENT OF COMMERCE PTO-1449 PATENT AND TRADEMARK OFFICE					0			
Form			JFFICE	Complete if Known					
			Application Number Divisional of 09/923,891						
INFORMATION DISCLOSURE				Filing Date Herewith			<del> </del>		
STATEMENT BY APPLICANT				Applicant(s) Bryan, et al.					
(use as many sheets as necessary)				Art Unit Unknown					
,				Examiner Name Unknown					
SHE	SHEET 3 OF 4					Attorney Docket Number 31132.175			
	The state of the s								
				U. S. P.	ATENT DO	CUMENTS			
Examin		Cite	Document Number		tion Date	Name of F		t of Cited Document	
Initia PP		No. A89	6086595		2000 1/2000	Yonemura, et al.			
<del></del>	1	A90	6096038		/2000	Michelson			
	1	A91	6139579	10/31/2000		Steffee, et al.			
		A92	6156067	12/05/2000		Bryan, et al.			
	1	A93	6162252	12/19/2000		Kuras, et al.			
	_	A94	6179874	01/30/2001		Cauthen			
<b></b>	-	A95	6228022		V2001	Friesem, et al.			
	<del>\/</del>	A96 A97	6228026 6231609		V2001	Rull, et al.			
		1 737	0231003	03/13	05/15/2001 Mehd		Mehdizadeh		
				FOREIGN	PATENT	DOCUMENTS			
Examin		Cite	Foreign Patent		ion Date	Patentee or A	pplicant of Cited	Translation	
Initial	IS	No.	Document (Country Code – Number – Kind)		>YYYY	Doc	ument	YAN	
PP		B1	DE 2263842	07/1	1974	Hoffmann-Daim!	er	Yes	
		B2	DE 30 23 353 A1	<del></del>	/1981	Sulzer AG			
	1	B3	DE 2804936	08/02/1979		Sulzer AG			
<u> </u>		B4 B5	SU 895433 EP 0176728	01/07/1982 04/09/1986		Russian Patent Buttner-Janz, et al.		No	
<u> </u>	1-	B6	DE 37 41 493 A1	06/22/1989		Roland Man Druckmasch		No	
	1	B7	SU 1560184	04/30/1990		Russian Paent		No	
		B8	Roll No. G 90 00 094.3		/1991	Mecron Medizini	esche Produkte	Yes	
		B9	EP 0 560 140 A1	09/15	/1993	Buttner-Janz		No	
		B10	WO 00/04839		/2000	Nuvasive, Inc.			
		B11	WO 00/04851	<b>↓</b>	/2000	Spinal Dynamics			
-		B12	WO 00/13619 WO 00/13620		/2000 /2000	Spinal Dynamics			
		<u> </u>	13020		HER PRIC	Spinal Dynamics	Corporation		
Examin		Cite	Include name of the auth				article, title of the iter	n date page(s) volume	
Initial	ls	Nő.		issue nur	nber(s), pi	ublisher, city/count	ry where published.		
PP		C1	Brain, et al., "The Neurolo Macmillan & Co.; 1952; pp	gical Manif 187-225	estations (	of Cervical Spondy	losis", Brain: A Jou	mal of Neurology, vol. 75;	
	1					Charite Lumbar Inte	ervertebral Disc End	oprosthesis": International	
	Buttner-Janz, et al.; "Biomechanics of the SB Charite Lumbar Intervertebral Disc Endoprosthesis"; International Contropedics; vol. 13; 1989; pp. 173-176.								
	Edeland; "Some Additional Suggestions for an Intervertebral Disc Prosthesis"; Dept. of Occupational Heal Vdvo PV AB; S-40508; Goteborg; Sweden; 1985 Butterworth & Co. Publishers Ltd.				of Occupational Health;				
	Enker et al.; "Artificial Disc Replacement"; Spine; vol. 18; No. 8; 1993; pp. 1061-1070.					,			
	C4								
		Hawkins, et al.; "Shear Stability of an Elastomeric Disk Spacer Within an Intervertebral Joint: A Parametric Study"; Journal of Biomechanical Engineering Technical Briefs; vol. 114; Aug. 1992; pp. 414-415.							
	$\Box$	Hedman, et al.; "Design of an Intevertebral Disc Prosthesis"; Spine; vol. 17; No. 6; 1991; pp. S256-S260.							
	+	C6							
		C7							
	$\Psi$	C8	Hood; "Far Lateral Lumbar Disc Herniations"; Neurosurgery Clinics of North America; vol. 4, No. 1; Jan. 1993; pp. 117-124.						
Examine Signatu		/P	edro Philogene/				Date Considered	09/14/2006	
CVALUE	150.	1 - 242 - 1 - 25	eference considered, whether				MDED 600 Decur G		

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE In place of PTO-1449 Complete if Known Form **Application Number** Divisional of 09/923,891 **INFORMATION DISCLOSURE** Filing Date Herewith Applicant(s) Bryan, et al. STATEMENT BY APPLICANT (use as many sheets as necessary) Art Unit Unknown Examiner Name Unknown SHEET OF 4 Attorney Docket Number 31132.175

		OTHER PRIOR ART						
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the articles issue number(s), publisher, city/country v	vhere published					
PP	C9	Langrana, et al.; "Finite-Element Modeling of the Synthetic Intervertebral Disc"; Spine; vol. 16; No. 6: 1991; pp. S245-S252.						
	C10	Lee, et al.; "Development of a Prosthetic Intervertebral Disc"; Spine;						
	C11	ees, et al.; "Natural History & Prognosis of Cervical Spondylosis"; British Medical Journal; Dec. 28, 1963; British Medical Association, London, England; Copyright 1963; pp. 1607-1610.						
	C12	Long; "Failed Back Surgery Syndrome"; Neurosurgery Clinics of North America; vol. 2, No. 4; Oct. 1991; pp. 899-919.						
	C13	Ray; "The Artificial Disc-Introduction, History and Socioeconomics"; ( Diagnosis and Treatment of Low Back Pain; Raven Press, Ltd., NY;	1992; pp. 205-280.					
	C14	Robinson, et al.; "The Results of Anterior Interbody Fusion of the Cervical Spine"; The Journal of Bone & Joint Surgery; vol. 44-A, No. 8, Dec. 1962; pp. 1569-1587.						
	C15	Simeone and Rothman; "Cervical Disc Disease"; Pennsylvania Hospital & University of Pennsylvania; 1975; pp. 387-433.						
	Solini, et al.; "Metal Cementless Prosthesis for Vertebral Body Replacement of Metastatic Malignant the Cervical Spine"; Journal of Spinal Disorders; vol. 2; No. 4; 1989; pp. 254-262.  Taylor, Collier, "The Occurrence of Optic Neuritis in Lesions of the Spinal Cord, Injury, Tumor, Melitis Journal of Neurology; vol. 24; Macmillian & Co. Ltd, 1901; pp. 532-550.  Tie-sheng, et al.; "Lumbar Intervertebral Disc Prosthesis"; Chinese Medical Journal. 104-(5); 1991; pp.							
	ledical Journal. 10	)4-(5); 1991; pp. 381-						
	C19 Artificial Disc, Market Potential and Technology update, Viscogliosi Bros., LLC, February 2000,							
_	C20	Boning-Up, The Musculoskeletal Healthcare Industry, Industry Commentary & Review of 1999, Viscoglic Bros., LLC., March 10, 2000, pp. 1-33.						
	C21	Bryan Total Cervical Disc Prosthesis, Single Level Surgical Techniqu 2000, 01080-004, pp. 29	ie Manual, SPINA	L Dynamics Corporation				
	C22	Morphology of the Human Skeleton, pp. 208-270, 203-291, 313-331,	<del>409-495.</del>					
V	C23	Spine Industry Dynamics, Viscogliosi Bros., LLC., March 10, 2000, p	p. 1-4.	<del></del>				
<del></del>			<u></u> :					
Examiner Signature	/Pe	edro Philogene/	Date Considered	09/14/2006				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.